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Attorney for Third Party Defendant  
Fred Herschbach

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DAVID SLACK, Individually and on  
Behalf of All Others Similarly Situated, et.  
al.

Plaintiff,

vs.

RUSSELL E. BURNS, an Individual, et. al.  
Defendants.

Case No.: 3:13-cv-05001-EMC

CLASS ACTION

STIPULATION AND ORDER  
CONTINUING DATE TO RESPOND TO  
THIRD PARTY CROSS-COMPLAINT

Complaint Filed: October 27, 2013

And Related Third Party Complaint

The parties hereto, through their respective attorneys stipulate as follows:

Cross-Defendant, Fred Herschbach ("Herschbach"), by and through his attorney, Kevin C. Bedolla and Defendants and Third Party Plaintiffs, Russell E. Burns, Carl Goff, Dan Reding, Pete Figueiredo and Steve Ingersoll, by and through their attorney, Kenneth Absalom, hereby stipulate as follows:

1. Herschbach was served with the Third Party Complaint on May 26, 2015.
2. Prior to being named a party and being served with the Third Party Complaint herein, Herschbach was served with a Subpoena to Testify at a Deposition in a Civil Matter which included a request for documents.
3. A hearing on a Motion to Strike the Third Party Complaint is set for July 2, 2015.

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4. Herschbach has tendered his defense to various insurers, including an insurer listed in the Rule 26 Insurance Disclosure filed in this matter on or about April 3, 2015. A final decision regarding the providing of a defense for Herschbach and the specifics of that defense, including the final choice of counsel to represent Herschbach has not yet been made.

5. Herschbach needs additional time for his insurer to determine the specifics of his defense in this matter.

6. Based on the forgoing, the parties stipulate that Herschbach's shall have until July 20, 2015 to respond to the Third Party Complaint herein.

LAW OFFICES OF KEVIN C. BEDOLLA LAW OFFICE OF KENNETH C. ABSALOM

By:

Kevin C. Bedolla, Attorney for  
Fred Herschbach,

By:

Kenneth Absalom, Attorney for  
Russell E. Burns, Carl Goff, Dan Reding, Pete  
Figueredo, Steve Ingersoll

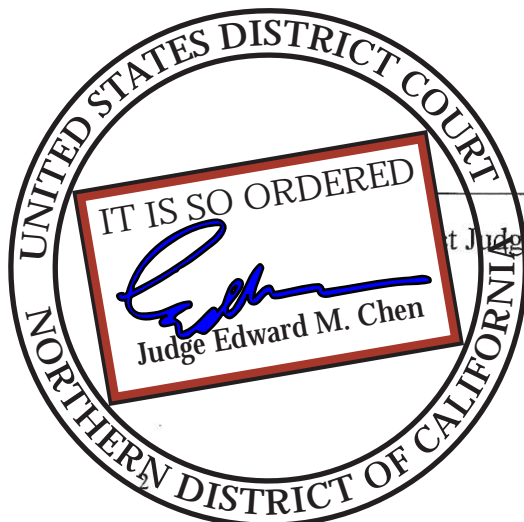
George R. Nemoff

**ORDER**

It is hereby ordered that the Third Party Defendant, Fred Herschbach shall have until July 20, 2015 to respond to the Third Party Complaint herein.

**IT IS SO ORDERED.**

Dated: June 26, 2015



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Third Party Plaintiff's and Third Party Defendant's Stipulation and  
Order to Continue Response to Third party Complaint